

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 360

AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 15-9-5-2, AS ADDED BY P.L.182-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this chapter, "fueling station" refers to tangible property (other than a building and its structural components):

(1) consisting of:

(+) (A) a tank;

(2) (B) a pump; and

(3) (C) other components; **and**

(2) that is used by **either**:

(A) a person engaged in the business of selling motor fuel at retail to enable motor fuel to be dispensed directly into the fuel tank of a customer's motor vehicle; **or**

(B) **a unit to enable motor fuel to be dispensed directly into the fuel tank of a motor vehicle owned or leased by the unit.**

SECTION 2. IC 15-9-5-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. As used in this chapter, "unit" means a city, town, county, or township.**

SECTION 3. IC 15-9-5-7, AS ADDED BY P.L.182-2007,

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SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) **Subject to subsection (c)**, the department may award a grant under this chapter to a person **or unit** that:

- (1) makes a qualified investment; and
- (2) places the qualified investment in service;

in Indiana for the dispensing of E85 base fuel into the fuel tanks of motor vehicles.

(b) A recipient of a grant awarded under this chapter must comply with any guidelines developed by the state department of ~~agriculture's~~ **agriculture and the** office of energy and defense development.

(c) The department may not award more than one (1) grant under this chapter for a location.

SECTION 4. IC 15-9-5-8, AS ADDED BY P.L.182-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Subject to subsection (b), the state department of ~~agriculture's~~ **agriculture and the** office of energy and defense development shall determine the amount of each grant awarded under this chapter.

(b) The amount of a grant awarded under this chapter **for a location** may not exceed the lesser of the following:

- (1) The amount of the ~~person's~~ **grant recipient's** qualified investment **for the location**.
- (2) ~~Five~~ **Twenty** thousand dollars (~~\$5,000~~) (**\$20,000**). ~~for all~~ **qualified investments made by the person at a single location.**

(c) The amount of a grant awarded under this chapter for a location may be less than the amount of the grant recipient's qualified investment for the location.

SECTION 5. IC 15-11-11-2, AS ADDED BY SEA 190-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. As used in this chapter, "fueling station" refers to tangible property (other than a building and its structural components):

- (1) consisting of:
 - ~~(1)~~ **(A)** a tank;
 - ~~(2)~~ **(B)** a pump; and
 - ~~(3)~~ **(C)** other components; **and**
- (2) that is used by **either**:
 - (A)** a person engaged in the business of selling motor fuel at retail to enable motor fuel to be dispensed directly into the fuel tank of a customer's motor vehicle; **or**
 - (B)** a unit to enable motor fuel to be dispensed directly into

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the fuel tank of a motor vehicle owned or leased by the unit.

SECTION 6. IC 15-11-11-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 6.5. As used in this chapter, "unit" means a city, town, county, or township.**

SECTION 7. IC 15-11-11-7, AS ADDED BY SEA 190-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) **Subject to subsection (c)**, the department may award a grant under this chapter to a person **or unit** that:

- (1) makes a qualified investment; and
- (2) places the qualified investment in service;

in Indiana for the dispensing of E85 base fuel into the fuel tanks of motor vehicles.

(b) A recipient of a grant awarded under this chapter must comply with any guidelines developed by the ~~department's~~ **department and the office of energy and defense development.**

(c) The department may not award more than one (1) grant under this chapter for a location.

SECTION 8. IC 15-11-11-8, AS ADDED BY SEA 190-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) Subject to subsection (b), the ~~department's~~ **department and the office of energy and defense development** shall determine the amount of each grant awarded under this chapter.

(b) The amount of a grant awarded under this chapter **for a location** may not exceed the lesser of the following:

- (1) The amount of the ~~person's~~ **grant recipient's** qualified investment **for the location.**
- (2) ~~Five~~ **Twenty** thousand dollars ~~(\$5,000)~~ **(\$20,000).** ~~for all~~ **qualified investments made by the person at a single location.**

(c) The amount of a grant awarded under this chapter for a location may be less than the amount of the grant recipient's qualified investment for the location.

SECTION 9. **An emergency is declared for this act.**

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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